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March 24, 2008

Via Facsimile to: 212-805-7928

The Honorable Michael H. Dolinger
Magistrate Judge, United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

RE: Julia Pichardo v. New York University
S.D.N.Y. - Docket No.: 07 civ 6034
Date of Loss: May 4, 2004
Our File No.: 40824

Dear Honorable Sir:

As you may recall, the law office of Goldberg & Associates has been retained to defend New York University ("NYU") in connection with the above-referenced personal injury lawsuit commenced by Julia Pichardo. Pursuant to Your Honor's order dated February 19, 2008, Ms. Pichardo was directed to retain new counsel within thirty (30) days or to proceed pro se. On February 21, I forwarded a letter to Ms. Pichardo enclosing a copy of the order together with copies of NYU's discovery demands, which remain unanswered. Ms. Pichardo has failed to respond to the letter, a copy of which follows this correspondence.

This morning, I received a call from your law clerk, Ilana Friedman, who inquired whether I have had any communication with Ms. Pichardo since this Court's issuance of the February order. I advised Mrs. Friedman that Ms. Pichardo never responded to my enclosed letter, and for that matter has failed to prosecute her claim since the commencement of the litigation. Moreover, pursuant to this Court's order, Ms. Pichardo's time to retain counsel in this matter has expired. Mrs. Friedman directed me to send a letter to Your Honor setting forth these facts.

As you may recall, the court had directed Ms. Pichardo to attend the January 22 conference before Your Honor, but Ms. Pichardo had failed to appear. By sending a copy of this letter, to Ms. Pichardo, it is NYU's intent to commence the process of seeking dismissal with prejudice of Ms. Pichardo's claim.

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We are prepared to take whatever steps this Court directs with regard to seeking dismissal. Certainly, we can file a motion or letter brief in support of an application for dismissal. However, in light of Ms. Pichardo's complete failure to serve discovery responses, appear in court when directed to do so, or otherwise prosecute her claim, we respectfully request that the Court directs NYU to apply for dismissal by the most expedient and cost effective means permissible.

Thank you for your consideration of this matter.

Respectfully submitted,



DANIEL J. FOX

cc: Julia Pichardo
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